

**UNITED STATES DISTRICT COURT  
DISTRICT OF MINNESOTA**

Mark Allen,

Civil No. 08-4758 (DWF/RLE)

Plaintiff,

v.

**ORDER ADOPTING REPORT  
AND RECOMMENDATION**

State of Minnesota, County  
of Anoka, and County of  
Crow Wing,

Defendants.

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Mark Allen, *Pro Se*, Plaintiff.

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This matter is before the Court upon Plaintiff Mark Allen's ("Plaintiff") self-styled objections to Chief Magistrate Judge Raymond L. Erickson's Report and Recommendation dated July 29, 2008, recommending that Plaintiff's Application to Proceed *In Forma Pauperis* be denied, as moot, and that this action be summarily dismissed pursuant to Title 28 U.S.C. § 1915(e)(2)(B)(ii).

The Court has conducted a *de novo* review of the record, including a review of the extensive submissions of the Plaintiff on his own behalf, pursuant to 28 U.S.C. § 636(b)(1) and Local Rule 72.2(b). The factual background for the above-entitled matter is clearly and precisely set forth in the Report and Recommendation and is incorporated by reference for purposes of Plaintiff's objections.

Based upon the *de novo* review of the record and all of the arguments and submissions of the parties and the Court being otherwise duly advised in the premises, the Court hereby enters the following:

**ORDER**

1. Plaintiff Mark Allen's objections (Doc. Nos. 4 and 5) to Chief Magistrate Judge Raymond L. Erickson's Report and Recommendation dated July 29, 2008, are **DENIED**.

2. Chief Magistrate Judge Raymond L. Erickson's Report and Recommendation dated July 29, 2008 (Doc. No. 4), is **ADOPTED**.

3. Plaintiff Mark Allen's Application to Proceed *In Forma Pauperis* (Doc. No. 2) is **DENIED**, as moot.

4. This action is **SUMMARILY DISMISSED** pursuant to Title 28 U.S.C. §1915(e)(2)(B)(ii).

**LET JUDGMENT BE ENTERED ACCORDINGLY.**

Dated: September 9, 2008

s/Donovan W. Frank  
DONOVAN W. FRANK  
Judge of United States District Court

**MEMORANDUM**

The Court has done its very best to read the most recent submissions of the Plaintiff. The Court must respectfully join Chief Magistrate Judge Raymond L. Erickson in observing that it is a mostly disorganized, incomprehensible collection of legal and

religious statements, if not ramblings or jargon.

The Plaintiff, in his objections, has characterized his case as follows: “This case is based on the fact that a corporation does not have jurisdiction over a flesh-and-blood man, me, a non-corporate entity. This paperwork shows who I am, that my allegiance is to The Most High, Yahweh, my God. I honor no other gods except The Most High.”

It is the Court’s view that the Plaintiff’s complaint, even when viewed in the light most favorable to the Plaintiff, and even using in the most liberal sense “viewed favorably,” fails to state any legally cognizable cause of action. Consequently, given the absence of an actionable claim, the Plaintiff’s IFP application must necessarily be denied as moot.

For these reasons, the Court has adopted the Report and Recommendation of Chief Magistrate Judge Raymond L. Erickson and, in so doing, denied Plaintiff Mark Allen’s Application to Proceed *In Forma Pauperis* as moot, and summarily dismissed Plaintiff’s action pursuant to 28 U.S.C. § 1915(3)(2)(B)(ii).

D.W.F.